IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6402 of 2005

Between:

Bhagyalaxmi Kirana and General Stores, Rep. by its Proprietor,
G. Laxma Reddy S/o. Bhanreddy, Aged 32 yrs, Occ: Business, R/o.H.No..13-69, Peddapally
Road, Garepally Village, Kataram Mandal, Karimnagar District.

..... PETITIONER

AND

1 The Inspector Prohibition and Excise, Manthani Circle, Manthani, Karimnagar District.
2 The Circle Inspector of Police, Kataram Village and Mandal,
Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus or any other writ order or direction declaring the action of the respondent authority in interfering and threatening to register criminal cases against the petitioner if deal with the business of Jaggery and alum and other Kirana items which is being run by the petitioner in the name and style of Bhagyalaxmi Kirana and General Stores at Garepally Village, Kataram Mandal, Karimnagar District as arbitrary, illegal , null and void, consequently direct the respondent authorities not to harass and not to interfere in the Kirana Business of the petitioner which is being run by him in the name and style of Bhagyalaxmi Kirana and General stores at Garepally VIllage, Kataram Mandal, karimnagar District and to pass such other order or orders as this Hon'ble

Court may deem fit and proper in the interest of justice.

Counsel for the Petitioner:MR.C.HARI PREETH

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court at the stage of admission made the following :

ORDER:

Heard both sides and at their request this Writ Petition is taken up for disposal at the stage of admission.

The petitioner seeks a direction to the respondents not to harass and not to interfere with the 'kirana' business of the petitioner which is being run by him in the name and style of "Bhagyalaxmi Kirana and General Stores" at Garepally Village, Kataram Mandal, Karimnagar District.

The learned counsel appearing for the respondents submits that the petitioner is involved in jagerry business out of proportion, which actually was meant for manufacturing illicit liquor, but of course, there is no positive proof in this regard.

Having regard to the facts and circumstances of the case, this Writ Petition is disposed of with a direction to the respondents not to interfere with the business of the petitioner, particularly with the business of jaggery, and not to harass him. However, it is made clear that if the petitioner is found to have been involved in any illicit business, appropriate action be taken in accordance with law. No costs.

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D.S.R. VARMA, J

DATED: 25.03.2005

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1 The Inspector Prohibition and Excise, Manthani Circle, Manthani, Karimnagar District.
2 The Circle Inspector of Police, Kataram Village and Mandal, Karimnagar District.

3. Two CCs to G.P.for Excise, High Court of A.P., Hyderabad. (OUT)

4. Two CD copies.